SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2013-457828-001 DT   12/04/2014

                                                CLERK OF THE COURT
HONORABLE DANIELLE J. VIOLA   D. Ruelas
                                                      Deputy

STATE OF ARIZONA   BRETT GEORGE

v.

MARTY ALLAN MARTINEZ (001)   MARCUS A FINEFROCK

MINUTE ENTRY

        The Court has received and reviewed Defendant's Motion to Transport Defendant to Funeral filed December 2, 2014. The Court has not yet received a response or objection from the State. Typically, MCSO is also notified and has an opportunity to object to such motions. The Court has not received any indication that such notice occurred in this case. More important, MCSO has a policy and procedure for how funeral requests are handled. At this point, if a request has not been made to MCSO directly, any order issued by the Court will not facilitate having Mr. Martinez attend any service. MCSO does not transport for funerals but only for private viewings. Based on the Court's understanding, MCSO will, if it can, transport an inmate to a private viewing for an immediate family member if the inmate submits an inmate request form with the name, address and telephone number of the funeral home.   The determination of whether a transport will take place depends on the inmate's classification, security and safety issues and manpower issues. The Motion indicates that the request is for a viewing/funeral. Based on the Court's understanding of the request, it seeks a type of relief that the Court cannot grant as it is within the administrative discretion of MCSO. While the Court certainly understands the request and the significance of such an event, the Court declines to enter the order requested.

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       This case is eFiling eligible: http://www.clerkofcourt.maricopa.gov/efiling/default.asp.
Attorneys are encouraged to review Supreme Court Administrative Order 2011-140 to determine
their mandatory participation in eFiling through AZTurboCourt.